FEB. 19. 2002 2:38PM

TTC PALO ALTO

NO. 8868 P.

PATENT

Attorney Docket No.: 018547034800

Client Reference No.: 3079

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

David H. Mack et al

Application No.: 09/020,743

Filed: February 9, 1998

For: COMPUTER-AIDED

VISUALIZATION OF EXPRESSION

COMPARISON

Examiner:

J. Siew

Art Unit:

1656

PETITION UNDER 37 CFR §1.48(a)(1)

Box Issue Fee Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

The Assignee and Inventors of U.S. Patent Application Serial No.09/020,743, hereby request that Kurt Gish, David Balaban, Elina Khurgin, Josie Dai and Jim Snyder be added as inventors of this patent application. Please charge the \$130 fee specified in 37 C.F.R. 1.17(i) for filing this petition to the undersigned's Deposit Account No. 20-1430.

We also enclose with this petition the following papers that are required under 37

C.F.R. § 1.48(a): Statement of the existing inventor; declaration of actual inventors; and

Statement of an assignee of interest. As indicated in the attached statements, the error arose without any deceptive intent. If there are any other fees due in connection with the filing of this

FEB. 19. 2002 2:38PM

TTC PALO ALTO

NO. 8868 P.

PATENT

David H. Mack et a

Application No.: 09/020,743

Page 2

petition, please charge the fees to our Deposit Account No. 20-1430. If there are any other fees due under 37 C.F.R. § 1.16 or 1.17 which are not enclosed, please charge those fees to our Deposit Account No. 20-1430. This Petition is submitted in duplicate.

By:

Joe Liebeschuetz Reg. No. 37,505

Customer No. 20350

TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8th Floor San Francisco, California 94111-3834

Tel: 650-326-2400 Fax: 650-326-2422

JOL:pfh

PA 3188397 vl

Application Data Sheet

Application Information

Application number:: 09/020,743

Filing Date:: 02/09/98

Application Type:: Regular

Subject Matter:: Utility

Suggested classification::

Suggested Group Art Unit::

CD-ROM or CD-R??::

Number of CD disks::

Number of copies of CDs::

Sequence Submission::

Computer Readable Form (CRF)?::

Number of copies of CRF:;

Title:: COMPUTER-AIDED VISUALIZATION OF

EXPRESSION COMPARISON

Attorney Docket Number:: 018547-034800US

Request for Early Publication:: No

Request for Non-Publication:: No

Suggested Drawing Figure:: 1

Total Drawing Sheets:: 6

Small Entity?;; No

Latin name::

Variety denomination name::

Petition included?:;

Petition Type::

Licensed US Govt. Agency::

Contract or Grant Numbers One::

Secrecy Order in Parent Appl.:; No

Page 1

Initial 12/5/01

Applicant Information

Applicant Authority Type:: Inventor

Primary Citizenship Country:: US

Status:: Full Capacity

Given Name:: David

Middle Name:: H.

Family Name:: Mack

Name Suffix::

City of Residence:: Menlo Park

State or Province of Residence:: CA

Country of Residence:: US

Street of Mailing Address:: 2076 Monterey Avenue

City of Mailing Address:: Menlo Park

State or Province of mailing address:: CA

Country of mailing address:: US

Postal or Zip Code of mailing address:: 94025

Applicant Authority Type:: Inventor

Primary Citizenship Country:: US

Status:: Full Capacity

Given Name:: Kurt

Middle Name::

Family Name:: Gish

Name Suffix::

City of Residence:: Sunnyvale

State or Province of Residence:: CA

Country of Residence:: US

Street of Mailing Address:: 953 Helen Avenue, Apt. 7

City of Mailing Address:: Sunnyvale

State or Province of mailing address:: CA

Page 2

Country of mailing address::

US

Postal or Zip Code of mailing address:: 94086

Applicant Authority Type::

Inventor

Primary Citizenship Country::

US

Status::

Full Capacity

Given Name::

David

Middle Name::

Family Name::

Balaban

Name Suffix::

City of Residence::

San Jose

State or Province of Residence::

CA

Country of Residence::

US

Street of Mailing Address::

7127 Glenview Drive

City of Mailing Address::

San Jose

State or Province of mailing address::

CA

Country of mailing address::

US

Postal or Zip Code of mailing address:: 95120

Applicant Authority Type::

Inventor

Primary Citizenship Country::

US

Status::

Full Capacity

Given Name::

Elina

Middle Name::

Family Name::

Khurgin

Name Suffix::

City of Residence::

Cupertino

State or Province of Residence::

ÇA

Country of Residence::

US

Page 3

Initial 12/5/01

Street of Mailing Address::

22999 Voss Avenue

City of Mailing Address::

Cupertino

State or Province of mailing address::

CA

Country of mailing address::

US

Postal or Zip Code of mailing address:: 95014

Applicant Authority Type::

Inventor

Primary Citizenship Country::

China

Status::

Full Capacity

Given Name::

Josie

Middle Name::

Family Name::

Dai

Name Suffix::

City of Residence::

San Jose

State or Province of Residence::

CA

Country of Residence::

USUS

Street of Mailing Address::

4009 Higuera

City of Mailing Address::

San Jose

State or Province of mailing address::

CA

Country of mailing address::

US

Postal or Zip Code of mailing address:: 95148

Applicant Authority Type::

Inventor

Primary Citizenship Country::

US

Status::

Full Capacity

Given Name::

Jim

Middle Name::

Family Name::

Snyder

Name Suffix::

Page 4

Initial 12/5/01

| |

City of Residence::

Palo Alto

State or Province of Residence::

CA

Country of Residence::

US

Street of Mailing Address::

321 Fulton Street

City of Mailing Address::

Palo Alto

State or Province of mailing address::

CA

Country of mailing address::

US

Postal or Zip Code of mailing address:: 94301

Correspondence Information

Correspondence Customer Number::

20350

Representative Information

Representative Designation::

Representative Number::

Representative Name::

Primary

30,223

William M. Smith

Primary

37.505

Joe Liebeschuetz

Associate

44,419

Wei Zhou

Associate

31,395

Philip L. McGarrigle

Associate

32,483

Vernon A. Norviel

Domestic Priority Information

Application::

Continuity Type::

Parent Application:: Parent Filing Date::

09/020,743

Non-Prov of

60/069,436

December 11,1997

Provisional

Assignee Information

Assignee Name::

Affymetrix, Inc.

Street of mailing address::

3380 Central Expressway

City of mailing address::

Santa Clara

Page 5

Initial 12/5/01

1 1

State or Province of mailing address:: CA

Country of mailing address:: US

Postal or Zip Code of mailing address:: 95051

Page 6

Initial 12/5/01

TTC PALO ALTO

NO. 8868 P. 15_._

`~ .				•
I horsely corridy that this correspondence is being softward by Delivery to:	Hand			PATEN
Assistant Commissioner for Patients		Attorney	Docket No.: 0185 Client Reference	4703486
Box Igue fea Wathington, D.C. 20211			i	
On December 19, 2001				Ì
TOWNSHIND and TOWNSHIND and CREW LLP	_			
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37				
in the united states p	ATENT AND	TRAD <u>e</u> n	IARK OFFICE	
In re application of:	ł			
David H. Mack et al	Examiner:	J. Slew		٠,
Application No.: 09/020,743	Art Unit:	1656		
Filed: February 9, 1998	STATEMENT	r or day	MACK IN	•
Por: COMPUTER-AIDED VISUALIZATION OF EXPRESSION COMPARISON	SUPPORT OF INVENTORS § 1.48 (a)	e prititi	יא פסויי תי ענ	<u>.</u>
Box Issue Fee Assistant Commissioner for Patents Washington, D.C. 20231	1			
Str:				
I, David Mack, state:			!	
1. I am a currently named inventor of	on the above cap	tioned pa	tent.	
2. I have no disagreement with regar	rd to the request	ed chance	in instantanti	
out in the accompanying Petition, namely th	e addition of K	urt Girh.	David Relahes E	ine
Khurgin, Josie Dai and Jim Snyder as invent	OTB.		,	146
Date: 12/7/0/	Do	~~ <u>}</u>	Mack	
		<i>-</i>	THE WARLE	

David H. Mack et al Application No.: 09/020,743 Page 2

PATENT

Customer No. 10350

TOWNSEND and TOWNSEND and CRBW LLP Two Embaroadero Center, 8th Floor San Francisco, California 94111-3834 Tel; 650-326-2400 Fax: 650-326-2422 JOL:pfh

PA 3 188576 vl

FEB. 19. 2002 2:40PM

TTC PALO ALTO

	, <i>)</i>	i i
I hereby serrify that this correspondence is being delivered by	y Hind	
Delivery to:	Attorney Docket No.: 0185	PATENT
Audio na in in	Client Reference	Ma - 2070
Assistant Commissioner for Patrols Dont Jasos Fox	A-1	10 30/9
Washington, D.C. 20291		į
Material Piri VIII		l i
Оп		
Townsend and townsend and Crew Ilp		
Вул		
in the united states	PATENT AND TRADEMARK OFFICE	
In re application of:	1	
David H. Mack et al	Examiner: J. Slew	
Application No.: 09/020,743	Art Unit: 1656	
Filed: February 9, 1998	STATEMENT OF KURT GISH IN	
For: COMPUTER-AIDED	SUPPORT OF PETITION TO CORRECT INVENTORSHIP UNDER 17 C.E.R. 5 1	18
VISUALIZATION OF EXPRESSION COMPARISON		Γ.
Box Issue Fee Assistant Commissioner for Patents Washington, D.C. 20231		
Sir:	·	
I, Kurt Gish, state:		
1. My address is #953 Holen Drive residency and nationality is the United Sta	c, Apt. #7, Sumyvele, California. My comp tes.	yof
2. The inventorship error of failing	to include myself Kurt Gigh, as an inventor	
above captioned parent occurred without a	ny deceptive importion on my part.	
Date: 12/7/2001	huille	1
1	Kurt Glah	-
	erms & Tight	

David H. Mack et al Application No.: 09/020,743 Page 2

PATENT

Customer No. 20350

TOWNSEND and TOWNSEND and CREW LLP Two Embarcadoro Center, 8th Floor San Francisco, California 94111-3834 Tel: 650-326-2400 Fax: 650-326-2422 JOL:pfh

PA DIRESMY!

NO. 8868 FEB. 19. 2002 2:41PM TTC PALO ALTO I hereby certify that this cor idence is being delivered by Hand Attorney Docket No.: 018547034800 Delivery to: Client Reference No.: 3079 Assistant Commissioner for Palents Box: Issue Fee Washington, D.C. 20231 Desember 10, 2003 TOWNSEND and TOWNSEND and CREW LLP IN THE UNITED STATES PATENT AND TRADEMARK OFFICE In re application of: Examiner: J. Siew David H. Mack et al Art Unit: 1656 Application No.: 09/020,743 Filed: February 9, 1998 <u>STATEMENT OF DAVID BALABAN IN</u> SUPPORT OF PETITION TO CORRECT For: COMPUTER-AIDED INVENTORSHIP UNDER 37 C.F.R. VISUALIZATION OF EXPRESSION § 1.48 (a) COMPARISON Box Issue Fee Assistant Commissioner for Patents Washington, D.C. 20231 Sir: I, David Balaban, state: 1. My address is 7127 Glenview Drive, San Jose, California. My country of residency and nationality is the United States. 2. The inventorship error of failing to include myself, David Balaban, as an inventor of the above captioned patent occurred without any deceptive intention on my part.

David Balaban

NO. 8868 P. 20

PATENT |

1 1

FEB. 19. 2002 2:41PM TTC David H. Mack et TTC PALO ALTO

Application No.: 0>7020,743
Page 2

Customer No. 20350

TOWNSEND and TOWNSEND and CREW LIP Two Embarcadero Center, 8th Floor San Francisco, California 94111-3834 Tel: 650-326-2400 Fax: 650-326-2422

JOL:pfh

PA 3188387 v1

TTC PALO ALTO NO. 8868 FEB. 19. 2002 2:41PM I hereby certify that this co indence is being delivered by Hand Delivery to: Attorney Docket No.: 018547034800 Client Reference No.: 3079 Assistant Commissioner for Palents Box: Issue Fee Washington, D.C. 20231 December 10, 2001 TOWNSEND and TOWNSEND and CREW LLP IN THE UNITED STATES PATENT AND TRADEMARK OFFICE In re application of: Examiner: J. Siew David H. Mack et al Art Unit: 1656 Application No.: 09/020,743 Filed: February 9, 1998 STATEMENT OF ELINA KHURGIN IN SUPPORT OF PETITION TO CORRECT For: COMPUTER-AIDED INVENTORSHIP UNDER 37 C.F.R. VISUALIZATION OF EXPRESSION § 1.48 (a) COMPARISON Box Issue Fee Assistant Commissioner for Patents Washington, D.C. 20231 Sir: I, Elina Khurgin, state: 1. My address is 22999 Voss Avenue, Cupertino, California. My country of residency and nationality is the United States. 2. The inventorship error of failing to include myself, Elina Khurgin, as an inventor of the above captioned patent occurred without any deceptive intention on my part.

Elina Khurgin

NO. 8868 P. 22

PATENT

FEB. 19. 2002 - 2:42PM

TTC PALO ALTO

David H. Mack et Application No.: 097020,743 Page 2

Customer No. 20350

TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8th Floor San Francisco, California 94111-3834 Tel: 650-326-2400 Fax: 650-326-2422 JOL:pfh

PA 3188390 v1

FEB. 19. 2002 1 2:42 PMy that th TIC PALO ALTO mg delivered by Hand Delivery to: At __ney Docket No.: 018547034800 Client Reference No.: 3079 Assistant Commissioner for Patenta Box: Issue Fee Washington, D.C. 20231 December 10, 2001 TOWNSEND and TOWNSEND and CREW LLP IN THE UNITED STATES PATENT AND TRADEMARK OFFICE In re application of: Examiner: J. Siew David H. Mack et al Art Unit: 1656 Application No.: 09/020,743 Filed: February 9, 1998 STATEMENT OF JOSIE DAI IN SUPPORT OF PETITION TO CORRECT For: COMPUTER-AIDED INVENTORSHIP UNDER 37 C.F.R. VISUALIZATION OF EXPRESSION § 1.48 (a) COMPARISON Box Issue Fee Assistant Commissioner for Patents Washington, D.C. 20231 Sir: I, Josie Dai, state: 1. My address is 4009 Higuera Rd., San Jose, California. My country of residency is the United States and my country of nationality is China. 2. The inventorship error of failing to include myself, Josie Dai, as an inventor of the above captioned patent occurred without any deceptive intention on my part. Date: 12/6/200/ Josie Dai

FEB. 19. 2002 2: 42PM Mack TTC PALO ALTO
Application No.: 0 0,743
Page 2

Customer No. 20350

TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8th Floor San Francisco, California 94111-3834 Tel: 650-326-2400 Fax: 650-326-2422 JOL:pfh

PA 3188392 v#

Delivery w:	Arto_y Docket No.: 01854 Client Reference N
Assistant Commissioner for Patents	Oliolii Hormaniaa I.
Box: Issue Fee	•
Washington, D.C. 20231	
On	_
TOWNSEND and TOWNSEND and CREW LLP	
Ву:	•
in the united states pa	TENT AND TRADEMARK OFFICE
In re application of:	Examiner: J. Siew
David H. Mack et al	Art Unit: 1656
Application No.: 09/020,743	Art Unit: 1030
Filed: February 9, 1998	STATEMENT OF JIM SNYDER IN
For: COMPUTER-AIDED VISUALIZATION OF EXPRESSION COMPARISON	SUPPORT OF PETITION TO CORRECT INVENTORSHIP UNDER 37 C.F.R. § 1.48 (a)
Box Issue Fee Assistant Commissioner for Patents Washington, D.C. 20231	
Sir.	
I, Jim Snyder, state:	
1. My address is 321 Fulton Street.	Palo Alto, California. My country of resid
nationality is the United States.	
2. The inventorship error of failing	to include myself, Jim Snyder, as an inven
above captioned patent occurred without an	
/ /	Of We
Date: 12/6/01	
/	Jim Sheder

P. 26 ENT

Application No.: 09/___,743
Page 2

Customer No. 20350

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: 650-326-2400
Fax: 650-326-2422
JOL:pfh

PA 3188393 vi

FEB. 19. 2002 2:43PM

TTC PALO ALTO

Attorney Docket No.: 01-7-034800US Client Ref. No.: 3079

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DECLARATION (37 CFR 1.83) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invent		MPUTER-AIDED VISUALIZATIO MPARISON	N OF EXPRE	SSION	
As the below no	med inventor	(a), I/we declare that:			
This declaration	lé directed to	16 .			
	þ	The attached application, or		Ī	
		Application No. 09/020,743 fied o	on Pebruary 9,	1998	
		as amended on (If appli	icable);	Į.	
liwe ballove that for which a pale	l liwe emiere nt le sought;	the original and first inventor(s) of the	tam koeldus er	ar which is claimed and	
We have revis Obims, as aman	wed and un	derstand the contents of the above mendment specifically referred to ab	e-identified ep ove;	plication, including the	
known to me/us	I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be motorial to patentability as defined in 37 CFR 1.55, including meterial information which became available between the filing date of the prior application and the National or PCT international filing date of the continuation-in-part application, if applicable; and				
Information and knowledge that	ballof are be willful false s	of my/our own knowledge are to alleved to be true, and further that to talements and the like are punished by jeopardize the validity of the applications.	these eleterner this by fine or	to were made with the innersemment, or both.	
FULL NAME OF	INVENTOR	3)			
Inventor 1	Devid H. M.	d V1.,	Date:	12/7/01	
Bigneture:	John	+ Joseph	Citizen of:	United States	
Inventor 2	Kurijaluh	1 1 - 1	Dete:	12/7/01	
Signature;	hus	1/2-1	Citizen of	United States	
Inventor 3	Dayid Balabi	An	Date:		
Signature:			Citizen et:	United States	
Inventor4	Elna khunda		Date:		
Olgneture:			Citizen of:	United States	
IT A Sec. 11					

Additional inventors are being remod on fermial attached hereto.

Burden Hour Sustament: This collection of information is required by 35 U.S.C. 318 and 67 CPR 1.63. The information is used by the purple to the PTD to present an application. Confidentially be governed by 35 U.S.C. 138 and 37 CPR 1.14. This form is sufficient to take 1 minute to complete. This time will vary depending upon the nearts of the individual case. Any comments on the amount of time you are required to complete this form should be sont to the Chief Information Officer, U.S. Potent and Trademark Office, Washington, DC 2023-2. DO NOT SEND PERS OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Auditing Commissionary for Pathyle, Washington, DC 2023-1.

PA 3188400 VI

TIC PALO ALTO

NO. 8868

Attorney Docket No.: 0: 7-034800US Client Ref. No.: 8079

Cilent Ref. No.: 3079

Approved for use trough non-17802. Care cell
List Patont and Tradement Office; U.S. DEPARTMENT OF COM-

DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76) — ADDITIONAL INVENTOR(8) Supplemental Sheet

(Total of 2 forms are aubmitted.)

OF INVENTOR(6)			
Josie Dail	Date:	•	
	Cilizan of:	China	
Jim Snyder	Date:		
	Citizen of:	United States	
	Date:		
	Citizen et:		
	Date		
	Citizen of:	-	<u> </u>
	José Dai	Josée Dail Citizen of: Lim Snyder Date: Citizen of: Date: Date: Date:	Josie Dail Citizen of: China Jim Snyder Date: Citizen of: United States Date: Citizen of: Date:

Surden How Statement This consistent of information is required by 36 U.S.C. 115 and 37 CFR 1.68. The information is used by the public (and the PTO to process) an application. Confidentially is governed by 55 U.S.C. 128 and 37 CFR 1.14. This form is estimated to set injuries to complete. This form is estimated to set required to complete that from though se term to the Original Information Officer, U.S. Patent and Tradement Officer, Washington, DC 2025. PA 5188400 VI

NO. 8868 P. 29

| ;

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMS control number.

DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of In	vention	COMPUTER-AIDED VISUALIZATION OF EXPRESSION COMPARISON				
As the below	w named inv	rentor(s), I/we decla	re that:			
This declara	ation Is direct	led to:		•		
		The attache	ed application,	or .		
	E	Application 1	No. 09/020,74	3 filed on Febru	агу 9	, 1998
				(if applicable);		
l/we belleve for which a p	that l/we an palent is sou	v∕ere the odginal an ght;	Id first invento	r(s) of the subjec	t ma	tter which is claimed and
(w <u>e have r</u> claims, as er	eviewed and mended by a	<u>d understand the</u> iny amendment spe	contents of the	ie above-Identifi ed to above;	ed a	upplication, including the
which becar	I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT international filing date of the continuation-in-part application, if applicable; and					
All statemer information a knowledge ti	nts made he and belief ar hat willful fal	erein of my/our or the believed to be tr	wn knowledge ue, and furthe	are true, all are that these state	state: teme	ments made herein on ints were made with the r imprisonment, or both, patent issuing thereon.
FULL NAME (OF INVENTO	PR(S)				
Inventor 1	David H.	Mack		Date:		<u></u>
Signature:				Citizer	n of:	United States
Inventor 2	Kurt Gish			Date:		
Signature:	<u> </u>			Chizer	ı of.	United States
Inventor 3	David Ba	laban		Date:		Dec 7, 2001
Signature:	Davi	d. Balala	in	Cltizer	ı of.	United States
Inventor 4	Elina Khur	<u>pin</u>		Date:		
Signature				Citizen	of:	United States
Additional inventors are being named on form(s) attached hereto.						

Burden Hour Statement This collection of information is required by 85 U.S.C. 115 and 87 CFR 1.63. The information is used by the public to the (and the PTD to process) an epplication. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form to estimated to take 1 minute to complete. This time will vary depending upon the needs of the infortiality case. Any comments on the Washington, DC 20221, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Pasents, Washington, DC 20231.

NO. 8868 CORE P. 30,000)

U.S. Patent and Trademark - rice; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no personal are required to respond to a collection of information unless it displays a valid OME control number.

DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76) -ADDITIONAL INVENTOR(S) Supplemental Sheet

(Total of 2 forms are submitted.)

FULL NAME	OF INVENTOR(S)		FULL NAME OF INVENTOR(S)							
Inventor 5:	Josie Dai	Date:	;							
Signature:		Critizen of:	China							
Inventor 6:	Jim Snyder	Date:								
Signature:		Citizen of:	United States							
Inventor 7:		Date:								
Signature:		Citizen of:								
Inventor 8:	_	Date:								
Signature:		Citizen of:								
										

Burden How Statement: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to Re (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO; Assistant Commissioner for Patents, Washington, DC 20231.

Attorney Docket No.: 01854.__34800US Client Ref. No.: 3079

PTO/SB/01A (10-01)

Approved for use through 10/31/2002, OMB 0851-0032 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it diaplays a valid OMB control number.

DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1,76)

Title of Inv	Title of Invention COMPUTER-AIDED VISUALIZATION OF EXPRESSION COMPARISON					
As the below	ramed i	inventor(s	s), I/we declare that:			
This declara	tlon is din	ected to:				
			The attached application, or			
		×	Application No. 09/020,743 filed or	n February 9,	, 1998	
			as amended on (if applied	cable);		
l/we believe to for which a p	that I/we atent is s	em/are ti ought <u>; </u>	he original and first Inventor(s) of the	e subject mat	ter which is daimed and	
I/we have re	viewed :	.,. and under y any am	erstand the contents of the above nendment specifically referred to abo	identified a	pplication, including the	
which became	/us to be re availa	material ble betw	disclose to the United States Patent to patentability as defined in 37 CFI reen the filing date of the prior a ontinuation-in-part application, if app	R 1.56, Includ	dido material information	
All statement information a knowledge th	International filling date of the continuation-in-part application, if applicable; and All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.					
FULL NAME O	F INVEN	ITOR(S)				
, inventor 1	Dayid	H. Mack		_ Date:		
Signature:				_ Citizen of:	United States	
Inventor 2	Kurt G	ish		Date:		
Signature:				Citizen of:	United States	
Inventor 3	David	Balaban		Date:		
Signature;				Cluzen of:	United States	
Inventor 4	Elina K	hurgin		Date:	12/7/01	
Signature:	<u> </u>	MA	Khurcph	Citizen of:	United States	
Additional inventors are being named on form(s) attached hereto.						

Burden Hour Statement This collection of information is required by 35 U.S.C. 116 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Difficer, U.S. Patient and Tredemark Office. Patients, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patients, Washington, DC 20231. PA 3188400 vi

FEB. 19. 2002 2:44PM

TTC PALO ALTO

Attorney Docket No.: 0185, 34800US Client Ref. No.: 3079

NO. 8868

PTO/SB/01A (10-01)

Approved for use through 10/31/2002, OMB 0851-0032

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DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76) -ADDITIONAL INVENTOR(S)

Supplemental Sheet (Total of 2 forms are submitted.)

FULL NAME	OF INVENTOR(S)	•	
Inventor 5:	Josie Dai	Date:	
Signature:		Citizen of:	China
Inventor 6:	Jim Snyder	Date:	
Signatu re :		Citizen of:	United States
Inventor 7:		Date:	
Signature:		Citizen of:	
Inventor 8:		Date:	
Signature:		Citizen of:	

Burden Hour Statement: This collection of information is required by \$5 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application, Confidentiality is governed by \$5 U.S.C. 122 and \$7 CFR 1.14. This form is essimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Palent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Palchie, Washington, DC 20231. PA 3188400 v1

NO. 8868

PTO/SB/01A (10-01)

Client Ref. No.: 3079

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DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Ir	COMPUTER-AIDED VISUALIZATION OF EXPRESSION COMPARISON				
As the bek	As the below named inventor(s), I/we declare that:				
This declar	ration is direc	ted to:			
]	The attached application, or		
	2	3	Application No. 09/020,743 filed o	n February 9	. 1998
			as amended on (if appli	cable);	•
I/we believe for which a	that l/we an patent la sou	vare th ght;	ne original and first inventor(s) of th	e subject ma	iter which is claimed and
l/we have claims, as a	reviewed and imended by a	d unde ny am	erstand the contents of the above endment specifically referred to abo	identified a	pplication, including the
which beca	me available	hahw	isclose to the United States Patent to patentability as defined in 37 CF een the filing date of the prior a ontinuation-in-part application, if app	R 1.56, Inclu	
All statemer information knowledge t	All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.				
FULL NAME	OF INVENTO	R(S)			
inventor 1	David H.	<u>Mack</u>		Date:	
Signature:				Citizen of:	United States
Inventor 2	Kurt Gish			Date;	
Signature:				Citizen of:	United States
Inventor 3	David Bal	<u>aban</u>		Date:	
Signature:				Citizen of:	United States
inventor 4	Ellna Khur	gin		Date:	
Signature:				Citizen of:	United States
Additional inventors are being named on form(s) attached hereto.					

Burden Hour Statement: This collection of Information is required by 35 U.S.C. 115 and 37 CFR 1.63. The Information is used by the public to tile (and the PTO to process) an application. Confidentiality is governed by 95 U.S.C. 122 and 97 CFR 1.14. This form 15 destinated to take 1 minute to complete. This time will vary depending upon the needs of the Individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Assistant Commissioner for Palents, Washington, DC 20231.

NO. 8868 P. 34

PTO/S8/01A (10-01)

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Cilent Ref. No.: 3079

Approved Line Unrough 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76) -ADDITIONAL INVENTOR(S) Supplemental Sheet

(Total of 2 forms are submitted.)

FULL NAME	OF INVENTOR(S)		
Inventor 5:	Josie Dai	Date:	12/6/200)
Signature:	John	Citizen of:	China
Inventor 6:	Jim Snyder	Date:	12/4 /01
Signature:	the Tole	Citizen of:	United States
Inventor 7:	10	Date:	
Signature:		Citizen of:	
Inventor 8:		Date:	
Signature:		Citizen of:	
			

Burden Mour Statement: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.69. The information is used by the public to file (and the PTO to process) an application. Confidenciality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Tradement Office. Washington, OC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Assistant Commissionar for Patents, Washington, DC 20231. PA 3188400 v1

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1985, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Attorney Docket No. 018547-034800

STATEMENT UNDER 37 CFR 3.73(b) Applicant/Patent Owner: Affymetrix, Inc. Application No./Patent No.: 09/020,743 Filed/Issue Date: February 8, 1998 Entitled: Computer-Alded Visualization of Expression Comparison Affymetirx, Inc. a concoration (Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.) states that it is: Ø the assignee of the entire right, title, and interest; or an assignee of an undivided part interest in the patent application/patent identified above by virtue of either: A.

An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Real 9418, Frame 0370, or for which a copy thereof is attached. OR 8. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below. 1. From: The document was recorded in the United States Patent and Trademark Office at Real _____, Frame _____ or for which a copy thereof is attached. The document was recorded in the United States Patent and Trademark Office at Real _____, Frame _____, or for which a copy thereof is attached. The document was recorded in the United States Patent and Trademark Office at Real _____, Frame _____, or for which a copy thereof is attached. Additional documents in the chain of title are listed on a supplemental sheet. Copies of assignments or other documents in the chain of title are attached. [NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8] The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee. Joe Liebeschuetz Typed or printed name Attorney of Record

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will very depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Title

PA 3188409 v1

TTC PALO ALTO



プリカコ NO. 8868 OP. 36800US

UNITED S. S DEPARTMENT OF COMMERCE Patent and Trademark Office ASSISTANT SECRETARY AND COMMISSIONER

OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

PAD

DECEMBER 15, 1998

TOWNSEND AND TOWNSEND AND CREW LLP
DAN H. LANG
TWO EMBARCADERO CENTER
8TH FLOOR
SAN FRANCISCO, CA 94111-3834

1008022978

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THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK CFFICE. A COMPLETE MICEOFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

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RECORDATION DATE: 08/17/1998

REEL/FRAME: 9418/0370 NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

MACK, DAVID H.

DOC DATE: 06/24/1998

ASSIGNEE:

AFFYMETRIX, INC. 3380 CENTRAL EXPRESSWAY SANTA CLARA, CALIFORNIA 95051

SERIAL NUMBER: 09020743

PATENT NUMBER:

FILING DATE: 02/09/1998

ISSUE DATE:

MARY BENTON, EXAMINER ASSIGNMENT DIVISION OFFICE OF PUBLIC RECORDS

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CHESKING POLICEMENT

	1	FEB. 19. 2002- 2:46PM TTC PALO ALTO98	Attorney C No. 01 NO. 8868 P. 37
		FORM PTO-1595 Rev. 6-93)	OVER SHEET U.S. DEPARTMENT OF COMMERCE Patent and Trademark Office
I	1	To the Honorable Asst. Cor 100802297	
J	- i	1. Name of conveying party(ies):	attached original documents or copy thereof.
		David H. Mack	2. Name and address of receiving party(ies):
Ì			Name: Affymetrix, Inc.
	4	dditional name(s) of conveying party(les) attached? Yes X No	Internal Address: 3380 Central Expressway
ŀ	+		Street Address: 3380 Central Expressway
		3. Nature of conveyance: X Assignment Merger Security Agreement Change of Name	City: Santa Clara State: California ZIP: 95051
		Other:	
		Execution Date: June 24, 1998	Additional name(s) & address(es) attached? Yes x No
	4	Application number(s) or patent number(s). If this document is being filed together with a new application	
		A. Patent Application No.(s) 09/020,743	B. Patent No.(s)
		Additional numbers attach	ned? Yes X No
	5	concerning document should be mailed:	6. Total number of applications and patents involved:
	N	ame: Dan H. Lang TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8th Floor San Francisco, California 94111-3834 (650) 326-2400	7. Total fee (37 CFR 3.41): \$ 40.00
		San Francisco. California 94111-3834 (650) 326-2400	Enclosed X Charge Fees to Deposit Account
			x Charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to deposit account
24	/1	998 FTDN11 00000040 201430 09020743 \	8. Deposit account number: 20-1430
Ц	25		
		100000	SE THIS SPACE
	9	Statement and signature.	
			mation is true and correct and any attached copy is a true copy
		Dan H. Lang Name of Person Signing Signature	July 8, 1998
	- 1	5 11	Date
4	_	Total names, or page	es including cover sheet, attachments, and document:
	٥	Change Correspondence Address to that of Part 5? x Ye	es No
4	M	B No. 0651-0011 (exp. 4/94)	-
*	ail	Asst. Commiss	ch this partion
٦		Washington.	D.C. 20231

_NO. 8868____P. 38

Attorney Docket No. 018547-034800US / Client No. 3079

ASSIGNMENT OF PATENT APPLICATION

SOLE

1 ...

WHEREAS, David H. Mack of 2076 Monterey Avenue, Menlo Park, California 94025, hereinafter referred to as "Assignor," is the inventor of the invention described and set forth in the below identified application for United States Letters Patent:

Title of the Invention:

COMPUTER-AIDED VISUALIZATION OF EXPRESSION COMPARISON

Date(s) of execution of Declaration: June 24, 1998

Filing date: February 9, 1998 Application No.: 09/020.743; and

WHEREAS, Affymetrix, Inc. a California corporation, located at 3380 Central Expressway, Santa Clara, California 95051, hereinafter referred to as "Assignee," is desirous of acquiring an interest in the invention and application and in any Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignor, Assignor has assigned, and by these presents does assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignor had this assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignor further agrees that Assignor will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and



Mach

instruments of transfer and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

IN TESTIMONY WHEREOF, Assignor has signed his/her name on the date

Date: 10/24/98

indicated.

David H. Mack

I hereby certify that this correspondence is being delivered by Ham Delivery to:
Assistant Commissioner for Patents Rox: Issue Fee Washington, D.C. 20231
OnDescriber 10, 2001
TOWNSEND and TOWNSEND and CREW I.LP
Ву:

PATENT

Attorney Docket No.: 018547034800 Client Reference No.: 3079

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

David H. Mack et al

Application No.: 09/020,743

Filed: February 9, 1998

For: COMPUTER-AIDED

VISUALIZATION OF EXPRESSION

COMPARISON

Examiner:

J. Siew

Art Unit:

1656

STATEMENT UNDER 37 CFR &

1.48(a)(4)

Box Issue Fee Assistant Commissioner for Patents Washington, D.C. 20231

Sir.

I, the undersigned, on behalf of AFFYMETRIX, INC., the assignee of interest in U.S. Patent Application Serial No. 09/020,743 hereby agree to the change of the inventorship in that application by adding Kurt Gisb, David Balaban, Elina Khurgin, Josie Dai and Jim Snyder as inventors. Attached herewith is a Certificate Under 37 C.F.R. 3.73(b), which establishes the ownership rights.

Date: 6/12/2001

AFFYMETRIX, INC.

Title: Executive Vice President

PATENT

David H. Mack et al Application No.: 09/020,743 Page 2

Customer No. 20350

JOL:pfh PA 3188378 v1

TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8th Floor San Francisco, California 94111-3834 Tel: 650-326-2400 Fax: 650-326-2422

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